GOVERNMENT OF INDIA
ENVIRONMENT AND FORESTS
LOK SABHA

UNSTARRED QUESTION NO:5303
ANSWERED ON:28.04.2003
WITHDRAWAL OF FOREST LAND NOTIFICATION
RAMJI LAL SUMAN;SUSHIL KUMAR INDORA

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the Union Government have asked the Government of Himachal Pradesh on February 27, 2003 to withdraw the notification dated August 24, 1998 issued by the State Government in regard to the forest land;

(b) if so, the details and facts thereof; and

(c) the reasons for delay in asking the State Government to withdraw the notification?

Answer

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI DILIP SINGH JU DEV)

(a) Yes, Sir.

(b) The Government of Himachal Pradesh on 25.2.1952 declared all forests or wastelands including the categories like `charagah bila drakhtan` and `gair mumkin` in Himachal Pradesh, which was property of the State Government or over which the State Government has proprietary rights as protected forests. Thereafter, the State Government vide notification dated 24.8.1998 clarified that those two categories of lands are not included in `Waste Lands` for the purpose of 1952 notification. This was in contravention of the Forest (Conservation) Act, 1980 since once certain lands have been declared as forest land or the provisions of the Indian Forest Act, 1927 are applicable on such lands, then after coming into force of the Forest (Conservation) Act, 1980, no State Government or any other authority can exclude such lands from the category of forest land without the prior approval of the Central Government under the Forest (Conservation) Act, 1980.

(c) There is no delay in asking the State Government to withdraw this notification. As soon as the above notification of the State Government came to the notice of the Ministry, the State Government was asked on 10.11.1998 itself to withdraw this notification.